

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA, et al) ORDER
ARAKI, Sadao, et al) GRANTING APPLICATION
) TO WITHDRAW EXHIBIT
) NO. 3235 FOR
) IDENTIFICATION ONLY
) FROM THE FILES OF
) THE TRIBUNAL

This matter coming on to be heard this 30th day of April, 1948, before the Honorable Sir William Webb, President of the Tribunal, upon the application of Tadashi Hanai and Shinichi Shibuzawa, counsel for the Accused HOSHINO, Naoki, for leave to withdraw from the files of the Tribunal a certain document, to wit, Exhibit No. 3235 for Identification Only, said document being fully described in the application which is Paper No. 1687, for the purpose of returning same to the Japanese Foreign Office, the source from which it was obtained, and the Tribunal having heard the statements and arguments of counsel for the Defense in support of said motion, and the Prosecution having interposed no objection thereto, and

It appearing to the Tribunal that said Exhibit No. 3235 was offered and marked for Identification Only and has served its purpose, and that no substantial injustice will result to either the Prosecution, the Accused, or any of them, by the withdrawal of said document and the return thereof to the source from which it was obtained; and

It further appearing that an excerpt from said Exhibit No. 3235 for Identification Only was offered and admitted in evidence as Exhibit No. 3235-A, it is

ORDERED: That said application for the withdrawal of Exhibit No. 3235 for Identification Only be and it hereby is granted and that said Exhibit No. 3235 for Identification Only be withdrawn from the files of the Tribunal forthwith and delivered by the Clerk of the Tribunal to counsel for the Accused HOSHINO, to be returned by said counsel to the source from which it was obtained, upon the express term and condition, however, that it be returned to the Clerk of the Tribunal immediately upon notice being given that it is required by the Tribunal, the Prosecution or the Defense for the purposes of this trial; and it is further

ORDERED: That Exhibit No. 3235-A which has been admitted and is in evidence in this case shall remain in the files of the Tribunal and its status shall in no way be affected by this order.

BY THE TRIBUNAL:

(signed) W. F. WEBB,
PRESIDENT